

AMENDED IN ASSEMBLY MAY 20, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 777

Introduced by Assembly Member Prenter

February 26, 1997

An act to amend ~~Section 36012~~ *Sections 36012 and 36101* of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 777, as amended, Prenter. Vehicles: cotton module mover: definition *registration: exemption.*

~~Existing~~

(1) *Existing* law defines a cotton module mover as a motortruck or semitrailer that is equipped with a self-loading bed and is designed and used exclusively to transport field manufactured cotton modules to a cotton gin.

This bill would ~~make a clarifying change in that definition include within that definition a truck tractor and semitrailer combination that meets the description specified above.~~

(2) *Existing* law exempts cotton module movers from certain vehicle registration requirements.

This bill would require that, in order to maintain the exemption from registration for a truck tractor and semitrailer combination that has been exempted as a cotton module mover, the owner of that vehicle combination (a) not operate it during the exemption period in any manner other than as a cotton module mover, (b) register the vehicle combination with the department before operating it as a

commercial motor vehicle, and (c) apply to the department on a yearly basis for any renewal of the exemption from registration. The bill would specify that exemption from registration under these provisions does not exempt a truck tractor and semitrailer combination from the vehicle license fee imposed under the Vehicle License Fee Law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 36012 of the Vehicle Code is
2 amended to read:

3 36012. A “cotton module mover” is a motortruck,
4 *semitrailer*, or a truck tractor and semitrailer
5 combination that is equipped with a self-loading bed and
6 is designed and used exclusively to transport field
7 manufactured cotton modules to a cotton gin.

8 SECTION 2. Section 36101 of the Vehicle Code is
9 amended to read:

10 36101. The following farm vehicles are exempt from
11 registration, if they have and display an identification
12 plate as specified in Section 5014, and the vehicles shall
13 not be deemed to be implements of husbandry and they
14 shall be subject to all equipment and device requirements
15 as if registered:

16 (a) A motor vehicle of a size so as to require a permit
17 under Section 35780 owned and operated by a farmer,
18 designed and used exclusively for carrying, or returning
19 empty from carrying, feed and seed products of farming,
20 and used on a highway between one part of a farm to
21 another part of that farm or from one farm to another
22 farm.

23 (b) A vehicle equipped with a water tank owned by a
24 farmer and used exclusively to service his or her own
25 implements of husbandry.

26 (c) A water tank truck, which is owned by a farmer,
27 not operated for compensation, and used extensively in
28 the conduct of agricultural operations, when used
29 exclusively (1) for sprinkling water on dirt roads



1 providing access to agricultural fields or (2)
2 transportation of water for irrigation of crops or trees.

3 (d) (1) A cotton module mover, as defined in Section
4 36012.

5 (2) *In order to maintain the exemption from*
6 *registration granted under this subdivision for a truck*
7 *tractor and semitrailer combination, the owner of that*
8 *vehicle combination shall not operate it during the*
9 *exemption period in any manner other than as a cotton*
10 *module mover, as defined in Section 36012, and shall do*
11 *all of the following:*

12 (A) *Register the vehicle combination with the*
13 *department before operating it as a commercial motor*
14 *vehicle.*

15 (B) *Apply to the department on a yearly basis for any*
16 *renewal of the exemption from registration.*

17 (3) *Exemption from registration under this*
18 *subdivision does not exempt a truck tractor and*
19 *semitrailer combination from the vehicle license fee*
20 *imposed under Part 5 (commencing with Section 10701)*
21 *of Division 2 of the Revenue and Taxation Code.*

22 (e) A trailer which is equipped with a plenum
23 chamber for the drying of agricultural commodities.

24 (f) Except as provided in subdivision (j) of Section
25 36005, a trap wagon, as defined in Section 36016, which is
26 equipped with a fuel tank or tanks. The fuel tank or tanks
27 shall not exceed 3,000 gallons total capacity.

28 (g) A forklift truck, operated by a farmer not for
29 compensation. For purposes of this section, a hay-squeeze
30 shall be deemed a forklift.

31 (h) A truck tractor or truck tractor and semitrailer
32 combination specified in this subdivision which is owned
33 by a farmer and operated on the highways only incidental
34 to a farming operation and not for compensation. This
35 subdivision applies only to truck tractors with a
36 manufacturer's gross vehicle weight rating over 10,000
37 pounds that are equipped with all-wheel drive and
38 off-highway traction tires on all wheels, and only to
39 semitrailers used in combination with such a truck tractor
40 and exclusively in the production or harvesting of melons.

1 The vehicles specified in this subdivision shall not be
2 operated in excess of 25 miles per hour on the highways.

3 The Commissioner of the California Highway Patrol
4 may, by regulation, prohibit the vehicles specified in this
5 subdivision from operating on specific routes. These
6 vehicles shall not be operated laden on the highway for
7 more than two miles from the point of origin and shall not
8 be operated for more than 30 miles unladen on the
9 highway from the point of origin. These vehicles shall not
10 be operated for more than 15 miles unladen on the
11 highway from the point of origin, unless accompanied by
12 an escort vehicle to the front, and an escort vehicle to the
13 rear.

14 (i) A motor vehicle specifically designed for, and used
15 exclusively in, an agricultural operation for purposes of
16 carrying, or returning empty from carrying, silage and is
17 operated by a farmer, an employee of the farmer, or a
18 contracted employee of the farmer between one part of
19 a farm to another part of that farm or from one farm to
20 another farm, on a highway for a distance not to exceed
21 20 miles from the point of origin of the trip. This
22 subdivision does not include a vehicle that is used for the
23 transportation of silage for retail sales.

24 For the purposes of this subdivision, “silage” includes
25 field corn, sorghum, grass, legumes, cereals, or cereal
26 mixes, either green or mature, converted into feed for
27 livestock.

